

## UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/051,602	01/17/2002	William A. Baker	5893.02	1121
20686 75	590 12/16/2003		EXAMI	NER
	WHITNEY, LLP	NGUYEN, TAM M		
INTELLECTUAL PROPERTY DEPARTMENT 370 SEVENTEENTH STREET			ART UNIT	PAPER NUMBER
<b>SUITE 4700</b>			3764	
DENVER, CO 80202-5647			DATE MAILED: 12/16/2003	(3

Please find below and/or attached an Office communication concerning this application or proceeding.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE £ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensions of time many be available under the provisions of 3° CPR 1.35(e), in ne event, however, may a reply be timely filed  Extensions of time many be available under the provisions of 3° CPR 1.35(e), in ne event, however, may a reply be timely filed  Extension of time provided for reply specified above is less than thinty (30) days, a reply whitin the statutory prior will reply and will long its (50) (MOTRIS from the mailing date of this communication for reply appendix of the statutory prior will reply and will long its (50) (MOTRIS from the mailing date of this communication for reply and will long its (50) (MOTRIS from the mailing date of this communication for reply and will long its (50) (MOTRIS from the mailing date of this communication, even if timely filed, may reside any search patient than adjustment. Sea 3° CPR 1.70(d).  Status  1) Responsive to communication(s) filed on							
## Examiner   Tarm Nguyen   3784   3784   3784   3784   3784   3784   3784   3784   3784   3784   3784   3784   3784   3784   3784   3784   3784   3784   3784   3784   3784   3784   3784   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3884   3		Application No.	Applicant(s)				
Time MAILING DATE of this communication appears on the cover sheet with the correspondence address → Period for Repty  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ½ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Extension of terminary be a seasing with the processor of 37 CPR 1.136(a). In no event, however, may a reply be timely filed  Extension of terminary be a seasing with the processor of 37 CPR 1.136(a). In no event, however, may a reply be timely filed  Extension of terminary be a seasing with the processor of the pro	Office Action Summer	10/051,602	BAKER, WILLIAM A				
- The MAILING DATE of this communication appears on the cover sheet with the correspondence address - Period for Repty  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Exercised or time may be available under the previous of 37 CPR 1.13(a), in no event, however, may a reply be timely filled after SEX (b) NoVITHS from the realing older of this communication.  Exercised or time may be available under the previous of 37 CPR 1.13(a), in no event, however, may a reply be timely filled after SEX (b) NoVITHS from the mailing older of this communication.  I SEX (b) NoVITHS from the realing state of this communication and the provisional application provisional application provisional application provisional application provisional application provisiona	Office Action Summary	Examiner	Art Unit				
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ½ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  - Examination of time may be available under the provisions of 37 CFR 1.35(a), in an event, however, may a rapity be timely filled  - Examination of time may be available under the provisions of 37 CFR 1.35(a), in an event, however, may a rapity be timely filled  - Examination of time may be available under the provisions of 37 CFR 1.35(a), in an event, however, may a rapity be timely filled  - Examination of the provision of the mailing date of the statutory minimum of thing (30) days will be considered dimely.  - If NO period for reply is specified above, the mailine statutory provided using the statutory minimum of thing (30) days will be considered dimely.  - Failure to reply within the sit or examination and the statutory minimum of thing (30) days will be considered dimely.  - Failure to reply within the sit or examination and the statutory minimum of thing (30) days will be considered timely.  - Failure to reply within the sit or examination and the statutory minimum of thing (30) days will be considered timely.  - Failure to reply within the sit or examination and the statutory minimum of thing (30) days will be considered timely.  - Failure to reply within the sit or examination and the statutory minimum of thing (30) days will be considered timely.  - Failure to reply sit of the statutory o							
THE MAILING DATE OF THIS COMMUNICATION.  Extransions of time may be available under the provisions of 30 CPR 1.13(a). In no event, however, may a reply be timely filed after SIX (8) MONTHS from the mailing date of this communication.  I standard of the provision of the communication of the communicatio	The MAILING DATE of this communication app Period for Reply	pears on the cover sheet with the c	orrespondence address				
2a)  This action is FINAL. 2b)  This action is non-final.  3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)  Claim(s) 1-55 is/are pending in the application. 4a) Of the above claim(s) is/are evilowed. 5)  Claim(s) is/are allowed. 6)  Claim(s) is/are rejected. 7)  Claim(s) is/are objected to. 8)  Claim(s) j-55 are subject to restriction and/or election requirement.  Application Papers  9)  The specification is objected to by the Examiner. 10)  The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. §§ 119 and 120  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some of long horiority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies on the received. 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  a) The translation of the foreign language provisional application has been received.  14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the fir	<ul> <li>THE MAILING DATE OF THIS COMMUNICATION.</li> <li>Extensions of time may be available under the provisions of 37 CFR 1.1 after SIX (6) MONTHS from the mailing date of this communication.</li> <li>If the period for reply specified above is less than thirty (30) days, a repletion of the period for reply is specified above, the maximum statutory period.</li> <li>Failure to reply within the set or extended period for reply will, by statute.</li> <li>Any reply received by the Office later than three months after the mailing.</li> </ul>	136(a). In no event, however, may a reply be timely within the statutory minimum of thirty (30) days will apply and will expire SIX (6) MONTHS from a, cause the application to become ABANDONE	nely filed s will be considered timely. the mailing date of this communication. D (35 U.S.C. § 133).				
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)☑ Claim(s) 1-55 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5)☐ Claim(s) is/are allowed.  6)☐ Claim(s) is/are objected to.  8)☑ Claim(s) 1-55 are subject to restriction and/or election requirement.  Application Papers  9)☐ The specification is objected to by the Examiner.  10)☐ The drawing(s) filed on is/are: a)☐ accepted or b)☐ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheel(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. §§ 119 and 120  12]☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a)☐ All b)☐ Some * c)☐ None of:  1.☐ Certified copies of the priority documents have been received.  2.☐ Certified copies of the priority documents have been received in Application No  3.☐ Copies of the certified copies of the priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet.  37 CFR 1.78.  Altachment(s)  11 ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet.  37 CFR 1.78.  Altachment(s)  19 ☐ Notice of References Cited (PTO-882)  30 ☐ Notice of Informal Patent Application (PTO-152)	1) Responsive to communication(s) filed on	<u>_</u> .					
closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)	2a) This action is <b>FINAL</b> . 2b) ☑ This	action is non-final.					
4)							
4a) Of the above claim(s) is/are withdrawn from consideration.  5) □ Claim(s) is/are rejected.  7) □ Claim(s) is/are objected to.  8) ☒ Claim(s) is/are objected to.  8) ☒ Claim(s) is/are objected to restriction and/or election requirement.  Application Papers  9) □ The specification is objected to by the Examiner.  10) □ The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) □ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. §§ 119 and 120  12) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. §§ 119(a)-(d) or (f).  a) □ All b) □ Some * ○ □ None of:  1. □ Certified copies of the priority documents have been received.  2. □ Certified copies of the priority documents have been received in Application No.  3. □ Copies of the certified copies of the priority documents have been received in Application No.  3. □ Copies of the certified copies of the priority documents have been received.  13) □ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet.  37 CFR 1.78.  Altachment(s)  10 □ Notice of References Cited (PTO-882)  41 □ Interview Summary (PTO-413) Paper No(s).  22 □ Notice of Draftsperson's Patent Drawing Review (PTO-948)	Disposition of Claims						
5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☒ Claim(s) is/are objected to. 8) ☒ Claim(s) is/are objected to by the Examiner.  4Application Papers  9) ☐ The specification is objected to by the Examiner.  10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. §§ 119 and 120  12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☐ All b) ☐ Some * c) ☐ None of:  1. ☐ Certified copies of the priority documents have been received.  2. ☐ Certified copies of the priority documents have been received in Application No.  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17, Z(a)).  * See the attached detailed Office action for a list of the certified copies not received.  13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  Altachment(s)  1) ☐ Notice of References Cited (PTO-892)  2) ☐ Notice of References Cited (PTO-892)  3) ☐ Notice of Informal Patent Application (PTO-152)	4) Claim(s) 1-55 is/are pending in the application	<b>1.</b>					
6) ☐ Claim(s) is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☒ Claim(s) is/are objected to. 8) ☒ Claim(s) is/are objected to estriction and/or election requirement.  Application Papers  9) ☐ The specification is objected to by the Examiner.  10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. §§ 119 and 120  12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☐ All b) ☐ Some * c) ☐ None of:  1. ☐ Certified copies of the priority documents have been received.  2. ☐ Certified copies of the priority documents have been received in Application No,  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  a) ☐ The translation of the foreign language provisional application has been received.  14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  Attachment(s)  1) ☐ Notice of References Cited (PTO-892)  2) ☐ Notice of Informal Patent Application (PTO-152)	• • • • • • • • • • • • • • • • • • • •						
7) Claim(s) is/are objected to.  8) Claim(s) 1-55 are subject to restriction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner.  10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. §§ 119 and 120  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  a) The translation of the foreign language provisional application has been received.  14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  Attachment(s)  1) Notice of References Cited (PTO-892)  2) Notice of Informal Patent Application (PTO-152)	5) Claim(s) is/are allowed.						
Application Papers  9) The specification is objected to by the Examiner.  10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. §§ 119 and 120  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No.  3. Copies of the certified sopies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  a) The translation of the foreign language provisional application has been received.  14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  Attachment(s)  1) Notice of References Cited (PTO-892)  2) Notice of Informal Patent Application (PTO-152)	Claim(s) is/are rejected.						
Application Papers  9) ☐ The specification is objected to by the Examiner.  10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. §§ 119 and 120  12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☐ All b) ☐ Some * c) ☐ None of:  1. ☐ Certified copies of the priority documents have been received.  2. ☐ Certified copies of the priority documents have been received in Application No  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  a) ☐ The translation of the foreign language provisional application has been received.  14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  Attachment(s)  1) ☐ Notice of References Cited (PTO-892)  2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  5) ☐ Notice of Informal Patent Application (PTO-152)	7) Claim(s) is/are objected to.	Claim(s) is/are objected to.					
9) The specification is objected to by the Examiner.  10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. §§ 119 and 120  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No.  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet.  37 CFR 1.78.  a) The translation of the foreign language provisional application has been received.  14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet.  37 CFR 1.78.  Altachment(s)  1) Notice of References Cited (PTO-892)  4) Interview Summary (PTO-413) Paper No(s).	8) Claim(s) <u>1-55</u> are subject to restriction and/or	election requirement.					
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. §§ 119 and 120  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet.  37 CFR 1.78.  a) The translation of the foreign language provisional application has been received.  14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  Attachment(s)  1) Notice of References Cited (PTO-892)  2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	Application Papers						
Priority under 35 U.S.C. §§ 119 and 120  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No.  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet.  37 CFR 1.78.  a) The translation of the foreign language provisional application has been received.  14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  Attachment(s)  1) Notice of References Cited (PTO-892)  2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  5) Notice of Informal Patent Application (PTO-152)	10) The drawing(s) filed on is/are: a) accomposition and accomposition accomposition and accomposition and accomposition and accomposition and accomposition and accomposition accomposition accomposition and accomposition a	cepted or b) objected to by the lead of a drawing(s) be held in abeyance. See tion is required if the drawing(s) is objection.	e 37 CFR 1.85(a). jected to. See 37 CFR 1.121(d).				
12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☐ All b) ☐ Some * c) ☐ None of:  1. ☐ Certified copies of the priority documents have been received.  2. ☐ Certified copies of the priority documents have been received in Application No  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet.  37 CFR 1.78.  a) ☐ The translation of the foreign language provisional application has been received.  14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  Attachment(s)  1) ☐ Notice of References Cited (PTO-892)  2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  5) ☐ Notice of Informal Patent Application (PTO-152)	•	xammer. Note the attached Office	Action of 101111 10-132.				
a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet.  37 CFR 1.78.  a) The translation of the foreign language provisional application has been received.  14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  Attachment(s)  1) Notice of References Cited (PTO-892)  4) Interview Summary (PTO-413) Paper No(s)  5) Notice of Informal Patent Application (PTO-152)		n priority under 25 U.S.C. & 110/a	a) (d) or (f)				
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 4) Interview Summary (PTO-413) Paper No(s) 5) Notice of Informal Patent Application (PTO-152)	a) All b) Some * c) None of:  1. Certified copies of the priority documen  2. Certified copies of the priority documen  3. Copies of the certified copies of the priority documen  application from the International Burea  * See the attached detailed Office action for a list  13) Acknowledgment is made of a claim for domest since a specific reference was included in the firm of the specific reference was included in the firm of the translation of the foreign language priority.  Acknowledgment is made of a claim for domestication.	ts have been received. ts have been received in Applicationity documents have been received in (PCT Rule 17.2(a)). t of the certified copies not received in the certified copies not received its priority under 35 U.S.C. § 119(corst sentence of the specification of the covisional application has been received its priority under 35 U.S.C. §§ 120	ion No ed in this National Stage ed. e) (to a provisional application) r in an Application Data Sheet. eeived. and/or 121 since a specific				
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  5) Notice of Informal Patent Application (PTO-152)	Attachment(s)						
	1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s)	5) 🔲 Notice of Informal F					

Application/Control Number: 10/051,602

Art Unit: 3764

**DETAILED ACTION** 

Page 2

Election/Restrictions

1. This application contains claims directed to the following patentably distinct

species of the claimed invention:

Species A: Fig. 1

Species B: Fig. 10

2. Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for

prosecution on the merits to which the claims shall be restricted if no generic claim is

finally held to be allowable. Currently, claims 1, 10, 34 and 45 are generic.

3. Applicant is advised that a reply to this requirement must include an identification

of the species that is elected consonant with this requirement, and a listing of all claims

readable thereon, including any claims subsequently added. An argument that a claim

is allowable or that all claims are generic is considered nonresponsive unless

accompanied by an election.

4. Upon the allowance of a generic claim, applicant will be entitled to consideration

of claims to additional species which are written in dependent form or otherwise include

all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims

are added after the election, applicant must indicate which are readable upon the

elected species. MPEP § 809.02(a).

5. Should applicant traverse on the ground that the species are not patentably

distinct, applicant should submit evidence or identify such evidence now of record

showing the species to be obvious variants or clearly admit on the record that this is the

Application/Control Number: 10/051,602

Art Unit: 3764

Page 3

the prior art, the evidence or admission may be used in a rejection under 35

case. In either instance, if the examiner finds one of the inventions unpatentable over

U.S.C. 103(a) of the other invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tam Nguyen whose telephone number is 703-305-0784.

The examiner can normally be reached on M-F.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-

0858.

NICHOLAS D. LUCCHESI SUPER ISORY PATENT EXAMINER **TECHNOLOGY CENTER 3700** 

December 2, 2003